

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
YOUNGSTOWN DIVISION**

MATTHEW RICO, Individually and On
Behalf of all others similarly situated,

Plaintiff,

v.

LORDSTOWN MOTORS CORP.,
STEPHEN S. BURNS, RICH SCHMIDT,
and JULIO RODRIGUEZ,

Defendants.

Case No. 4:21-cv-00616-PAG

**NOTICE OF ASHITH PABBATHI'S
NON-OPPOSITION TO GEORGE
TROICKY'S MOTION FOR
APPOINTMENT AS LEAD PLAINTIFF
AND APPROVE THE SELECTION OF
LEAD COUNSEL**

Movant Ashith Pabbathi (“Mr. Pabbathi”) withdraws his opposition to the motion of movant George Troicky (ECF No. 21) for appointment as lead plaintiff.

The PSLRA creates a presumption that the “most adequate plaintiff” for the purposes of these motions is the person or group that has “the largest financial interest in the relief sought by the class.” 15 U.S.C. § 78u-4(a)(B)(iii)(I). Here, “the relief sought by the class” consists of recovery for investment losses suffered as a result of transactions in Lordstown Motors Corp. securities from August 3, 2020 through March 24, 2021.

Several competing motions and responses were filed. Based on a review of those motions and responses, and further review of the loss calculations, it appears that Mr. Pabbathi does not have the largest financial interest in this litigation. Rather, out of the eleven movants, George Troicky (“Mr. Troicky”) now appears to have the “largest financial interest in the relief sought by the class.” Also, on further examination, Mr. Troicky has shown that he is typical and adequate. If, however, for any reason Mr. Troicky is not appointed lead plaintiff, Mr. Pabbathi continues to oppose the competing movants (ECF No. 13, 14, 15, 16, 18, 19, 22, 24 and 25), and would then be the next presumptive “most adequate plaintiff” and should be appointed.

By this notice, Mr. Pabbathi does not waive his right to participate and recover as a class member. Mr. Pabbathi also remains ready, willing, and able to serve as a representative plaintiff if the need arises.

DATED: June 7, 2021

Respectfully submitted,
KARON LLC

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Lead Counsel for Movant Ashith Pabbathi

CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2021, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

By /s/ Daniel R. Karon
DANIEL R. KARON